

Message Text

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70

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 IO-10

BIB-01 EB-07 ACDA-05 SAM-01 SAJ-01 OMB-01 TRSE-00

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R 301757Z APR 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 9767

USMISSION USBERLIN

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 07018

E.O. 11652: GDS

TAGS: PGOV, WB, GW, UR, AU

SUBJECT: RESPONSE TO SOVIET PROTEST ON FRG-AUSTRIAN
TREATIES

REF: A) STATE 91039; B) BONN 6265; C) BONN 4740

1. AT APRIL 29 BONN GROUP MEETING FRENCH REP (BOISSIEU)
REPORTED DIFFICULTIES IN PARIS WITH TEXT PROVIDED REFTEL.
US AND FRG REPS REPORTED AGREEMENT OF THEIR AUTHORITIES
TO THIS TEXT, AND UK REP SAID HE HAD NOT YET RECEIVED
INSTRUCTIONS. BOISSIEU SAID PARIS HAD RECONSIDERED FIRST
SENTENCE OF PARA 2 AND HAD CONCLUDED THAT ORIGINAL
LANGUAGE (THEN FIRST SENTENCE OF PARA 3, SEE REFTEL C)
WAS PREFERABLE. HE SAID HE COULD NOT EXPLAIN THE
PREFERENCE. REGARDING PARA 3 OF NEW TEXT, BOISSIEU SAID
PARIS REQUESTED ALTERATION IN ORDER TO AVOID GIVING
IMPRESSION THAT ALLIES HAD ACTUALLY GONE THRU THE FRG
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LEGISLATION SENTENCE BY SENTENCE AND HAD THEN TAKEN

SPECIFIC ACTION--AS OPPOSED TO SIMPLE RESERVATION. HE ADDED THAT PARIS ALSO HAD PROBLEMS WITH USE OF "NOT AFFECT" IN PARA TWO AND "REMAIN UNAFFECTED" IN PARA THREE: THE SAME WORDS SHOULD BE USED BY ALLIES TO CONVEY SAME MEANING IN REPLIES TO SOVIETS.

2. BEGIN TEXT:

1. WITH REFERENCE TO THE STATEMENT MADE ON 8 JANUARY 1975 BY A MEMBER OF THE EMBASSY OF THE USSR TO THE CHAIRMAN POLITICAL ADVISER CONCERNING THE EXTENSION TO BERLIN OF THE TREATY OF 29 JANUARY 1972 BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND AUSTRIA ON THE STATE BORDER BETWEEN THEM AND THE TREATY BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND AUSTRIA CONCERNING THE OPERATIONAL EFFECTS ON THE TERRITORY OF THE FEDERAL REPUBLIC OF GERMANY OF SALZBURG AIRPORT, I WOULD LIKE TO MAKE THE FOLLOWING REPLY WHICH REPRESENTS THE VIEWS OF THE THREE POWERS.

2. BEFORE AUTHORIZING THE EXTENSION TO THE WSB OF THE TWO TREATIES MENTIONED ABOVE, THE EXTENSION OF EACH HAVING BEEN SPECIFIED, THE ALLIED AUTHORITIES ENSURED THAT THEIR APPLICATION IN THE WSB WOULD NOT AFFECT MATTERS OF SECURITY AND STATUS.

3. SO FAR AS THE TREATY ON THE OPERATIONAL AFFECTS OF SALZBURG AIRPORT IS CONCERNED, THE ALLIED AUTHORITIES TOOK THE NECESSARY STEPS TO ENSURE THAT THIS TREATY WOULD BE APPLIED IN THE WSB SUBJECT TO ALLIED RIGHTS AND RESPONSIBILITIES AND TO THE CORRESPONDING ALLIED LEGISLATION IN THE FIELD OF CIVIL AVIATION.

4. ALL THE CONDITIONS FOR THE EXTENSION TO THE WSB OF INTERNATIONAL AGREEMENTS AND ARRANGEMENTS ENTERED INTO BY THE FRG REFERRED TO IN ANNEXES IV A AND IV B TO THE QA OF SEPT. 3, 1971 HAVE THEREFORE BEEN MET.

5. AS FOR QUESTIONS OF TERMINOLOGY, THE AUTHORITIES OF THE THREE POWERS RECALL THEIR COMMUNICATION OF 22 FEBRUARY 1973 TO THE SOVIET MINISTRY OF FOREIGN AFFAIRS. END TEXT.

3. COMMENT AND ACTION REQUESTED. FRENCH REP INDICATED HE REGRETTED VERY MUCH HAVING TO ASK OTHERS TO ONCE AGAIN CONFIDENTIAL

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RETURN THIS MATTER TO CAPITALS WITH SUCH MARGINAL POINTS. AT THE SAME TIME, PARIS WAS FIRM IN ITS VIEWS AND HE HOPED OTHERS COULD AGREE SO MATTER COULD BE DISPOSED OF. OTHER REPS EXPRESSED DISAPPOINTMENT BUT AGREED TO REPORT. RECOMMEND AGREEMENT TO ABOVE TEXT IN EFFORT TO MOVE AHEAD.
HILLENBRAND

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